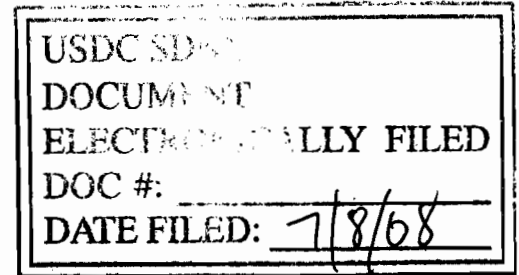


THE CITY OF NEW YORK
LAW DEPARTMENT
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 NEW YORK, NY 10007



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July 7, 2008

BY FACSIMILE: (212) 805-7942

Honorable Alvin K. Hellerstein
 United States District Judge
 United States District Court
 Southern District of New York
 Daniel Patrick Moynihan United States Courthouse
 500 Pearl Street, Room 1050
 New York, New York 10007-1312

So ordered
7-7-08
[Signature]

Re: Edward Williams v. Police Officer Anderson, et. al, 08 CV 1627 (AKH)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department handling the defense of the above-referenced matter on behalf of defendant City of New York.¹ In that capacity, I write further to my May 13, 2008 letter to the Court, in which City defendant requested and was granted an enlargement of time until July 14, 2008, within which to answer or otherwise respond to the complaint. City defendant initially requested an enlargement of time to afford us the opportunity to conduct an investigation into the facts of the case, obtain the underlying records concerning the August 16, 2006 arrest and subsequent prosecution of plaintiff, resolve representation issues and determine whether a dispositive motion would be appropriate. I write to respectfully request a brief enlargement of time two and a half weeks, from July 14, 2008 until August 1, 2008, for City defendant to answer or otherwise respond to the complaint. I write directly to the Court because plaintiff is incarcerated and proceeding *pro se* in this matter.

¹ According to an entry on the docket sheet dated June 20, 2006, Police Officer Anderson may have been served with a copy of the summons and complaint on or about April 28, 2008. We are in the process of resolving representation issues as per Officer Anderson. Moreover, from a review of the docket sheet, it appears that service was attempted but unexecuted as to Sergeant Dorritie. Upon information and belief, Sergeant Dorritie has not requested legal representation from the Office of the Corporation Counsel. Without making any representations on behalf of these two individuals, we respectfully request that, in the event they were served, their time to respond to the complaint similarly be enlarged so that their defenses are not jeopardized while representational issues are being decided.


City defendant anticipates serving and filing a motion to dismiss plaintiff's complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. We anticipate that our motion will be fully dispositive of plaintiff's claims in this matter. As Your Honor may recall, in the complaint, plaintiff claims, *inter alia*, that he was falsely arrested, maliciously prosecuted and the subject of a conspiracy. Notwithstanding these allegations, plaintiff concedes that he was convicted of attempted assault. Plaintiff's complaint consists of approximately 42 handwritten pages in cursive. While the crux of plaintiff's complaint challenges the legality of his arrest and prosecution, in order to fully and properly address the allegations in the complaint in a dispositive motion, we require a brief extension of time.

Moreover, I am respectfully requesting a brief enlargement of time because I was recently assigned to another civil rights matter which is scheduled to commence trial before the Honorable Judge Eric Vitaliano in the Eastern District of New York on July 21, 2008. We anticipate that the trial will last approximately one week. As a result, the next three weeks will be consumed with trial preparation and trial.

In view of the foregoing, City defendant respectfully requests an enlargement of time until August 1, 2008 to answer or otherwise respond to the complaint. We respectfully request that the Court grant the within relief.

Thank you for your consideration herein.

Respectfully submitted,



Brian Francolla
Assistant Corporation Counsel
Special Federal Litigation Division

cc: Mr. Edward Williams (By mail)
Plaintiff *Pro Se*
DIN # 01-A-1756
Orleans Correctional Facility
3531 Gaines Basin Road
Albion, New York 14411-9199²

² Plaintiff's address is listed as Gowanda Correctional Facility, P.O. Box 311, Gowanda, New York 14070-0311 on the docket sheet. By letter dated June 24, 2008, however, plaintiff advised defense counsel that he has been transferred to Orleans Correctional Facility and provided the address listed above. Plaintiff further indicated that he advised the Pro Se Office of his new address.